

ARIZONA HISTORICAL ADVISORY COMMISSION

January 31, 2006

MINUTES

The Arizona Historical Advisory Commission (AHAC) met at 1:00 pm. on January 31, 2006 at the Arizona State Library, Archives and Public Records, in the Director's Office Conference Room, at 1700 W. Washington, Suite 200, Phoenix, Arizona 85007.

ATTENDANCE

Members

Shelley Cohn, Executive Director
Commission of the Arts
John Driggs, Chairman
Phoenix Heritage Commission
Jim Garrison, State Historic Preservation Officer
State Historic Preservation Office, Arizona State Parks
Melodee Jackson, Director, Constituent Service
Office of the Governor
Catherine May, Senior Historical Analyst/Archivist
Salt River Project
Richard Sims, Director
Sharlot Hall Museum
Noel J. Stowe, Chair/Professor of History
Arizona State University
Betsy Stunz-Hall, Representative
Arizona Library Association
GladysAnn Wells, Director
Arizona State Library, Archives and Public Records
Beth Vershure, Station Manager, KAET-TV Channel 8
Arizona State University
Anne Woosley, Executive Director
Arizona Historical Society
Juliana Yoder, Executive Director
Arizona Humanities Council

Staff

Michael Hawthorne, Director of Operations
Director's Office

Guests

Michael Braun, Executive Director
Arizona Legislative Council
E. Blaine Vance, Deputy Treasurer
State Treasurer's Office
Tony Malaj, Chief of Staff
State Treasurer's Office
Marie Salenger, Artist

ABSENT

Members Hartman Lomawaima, Director
Arizona State Museum
Ken Travous, Director
Arizona State Parks

CALL TO ORDER

Chairman Sims called the meeting to order at 1:15 pm.

INTRODUCTIONS/ANNOUNCEMENTS

Wells announced the untimely passing of Ken Evans, agency Director of Communications, Boards and Commissions, and a past president of the Central Arizona Museum Association and the Museum Association of Arizona. Ken was widely known in the museum and library community of Arizona, and will be remembered for his wonderful personality and great sense of humor.

APPROVAL OF MINUTES

December 20, 2005 Meeting Minutes

Motion: Cohn motioned, and Vershure seconded, that the minutes of the December 20, 2005 meeting be approved as corrected. The motion passed.

DISCUSSION/ACTION

Memorial for 9-11

Cohn stated that in 2002, Governor Hull issued an executive order establishing the September 11th Memorial Commission. The purpose of that commission was to raise funds for a 9-11 monument.

Cohn introduced Marie Salenger from the successful design firm to give an overview of the proposed new memorial in Wesley Bolin Plaza to commemorate the events that took place on September 11, 2001 at the World Trade Center Twin Towers, the Pentagon, and on a field in Shanksville, Pennsylvania. She said that Nancy Dallett was the consultant on the project, who participated in creating the text as well as checking it for accuracy; Salenger is a member of the artist team.

Cohn said that Salenger will show images of the planned memorial which has a lot of text generated from documents about what happened on that day and the year after September 11, 2001, as well as interviews with those involved in Arizona, as well as respond to questions about the project and the text. She said that the project is on a very tight timeline to be completed by September 11, 2006. Fabrication is scheduled to begin within one month.

Salenger stated that the site has been selected by the Arizona Department of Administration. It is on the curve of 15th Avenue and Washington, on the grassy area. 200 artists were interested in the project; 17 artists submitted their proposals.

By unanimous decision, the Arizona Capitol Mall Commission selected a conceptual design. (A picture of the proposed memorial was circulated among the members and a document with proposed text for the plaque and memorial was distributed to all). Salenger stated that since the project is on a tight timeline – the artist needs to go to fabrication in February, the memorial's text is heavy with several layers, and the Commission is mandated by statute to approve the historical integrity of the memorial, she was present to explain how the text would be used in the memorial and to answer questions to expedite the process. Research was done to get the historical timeline and emotions into the memorial. The sun will reflect on information – information from different parts of the memorial during the day, month and year about how Arizonans lost loved ones, fought back against terrorists, and supported relief efforts.

Yoder asked if using the sun to highlight different parts of a memorial had been used elsewhere. Salenger responded “no”. She added that they are currently testing a mock up of it. On the anniversary of September 11, 2001, the sun will illuminate a steel beam fragment from the World Trade Center. Yoder commented that the concept sounded brilliant.

Cohn asked if the Commission could approve the historical aspects of the project because of the research done through the original documentation and by the Arizona State University History Department. Wells responded that for previous approvals of memorials and monuments by AHAC, that the Commission has authorized staff of the State Library, with assistance from staff from the Arizona Historical Society, to conduct its own research.

Woosley said that in the interest of time, that staff from the State Library and the Arizona Historical Society's Tempe museum should do random checking of the text. She said that she was confident that the Arizona State University History Department had already done the largest portion of the checking.

Action: Wells to receive the text and send half to the Arizona Historical Society for random checking by staff from each agency, to be completed by February 15, 2006. Both agencies to work with the 9-11 Commission through Cohn.

Motion: Wells moved and Woosley seconded to approve the plan and concept pending one more round of fact verifying on the historical text portion of the memorial.

Sims suggested the 9-11 Commission keeps an eye on maintenance problems. Cohn responded that the team is very aware of maintenance issues and they are very low, so low that the Arizona Department of Administration is stunned. The 9-11 Commission raised additional money for maintenance.

Cohn stated that there might be some additions to the text next week, but it would be in the middle column, the emotions portion. Wells commented that AHAC's responsibility is to check the historical facts only, and therefore it would not be concerned about changes made to the emotional portion of the memorial.

Questioned was whether non-sighted people would be able to read the text (i.e., Braille) too. Salenger responded that the team had not considered using Braille for the memorial. She added that to do so would be costly due to the amount of text used. Wells commented that if the 9-11 Commission was interested in including some Braille, than the agency's Braille and Talking Book Library could offer assistance. Salenger said that the memorial will be a gathering place where events can be held that can include sighted and non-sighted people.

Legislature/Legislation and Legality of Money Flow

Chairman Sims asked Driggs how HB2371 –Arizona Centennial; Funds; Appropriation came about. Driggs responded that during the second trip to Flagstaff with Sims, they talked about the general work of the Commission. He said that as he recalled, one of the things they talked about was that he would explore participation factors in the various governmental entities. He said that it was sort of part of that, so that he felt that he had a job to do, and therefore he met with the Speaker of the House and President of the Senate after the Commission's meetings and he also met with his representative, Representative Tully. He stated that they discussed the issues that were brought up at the last meeting of the Commission, particularly as was related to money. Driggs said that he gave Representative Tully a copy of the brochure that they gave to the mayors. Representative Tully responded back with "What do you need? Do you need money?" When Driggs responded "yes", Representative Tully advised him to return to his office at the first of the year, which he did.

In addition, when he received the donation, Driggs said that he didn't know where to put it and Representative Tully told him to go over to Legislative Council and open a file folder for a Centennial bill under his name.

Driggs stated that he discussed the details of the bill with President Bennett and as thought it advisable to run a bill this year to get some money, he went to Legislative Council and helped draw up the bill.

Driggs commented that Representative Tully advised him to get additional sponsors from both the majority and minority of both houses for the bill. He added that AHAC Centennial responsibility has been in existence from almost a year now, and that everyone who signed on the bill was very enthusiastic. He said that Representative Tully thought that use of the Arizona Community Foundation would complicate the process, especially with the State Treasurer involved, and in deciding what constitutes a match for funds.

Driggs said that he also talked to Representative Pierce, the Appropriations Chair for the House, and asked Representative Mason to introduce the amendment that was distributed to the members before the meeting started

Discussion

May asked Driggs if the monies would be available for immediate work. Driggs responded no. As written, the bill has great appeal and the appropriation can be accessed when matched entirely from sources other than the state, be it private, foundations, or government – local towns, county, and federal, as long as the purpose is designated. He added that he worked out the language with

John Thayer of Legislative Council who does appropriations bills, and thinks they have solved all of those problems.

Cohn stated she didn't like to sound like a bureaucrat, but asked "what is the point of this Commission then if one member goes forth without the knowledge of the rest, that is a timing issue." She added that one very well intentioned member has brought a bill back to the Commission without the members not involved in the strategy or anything else. Driggs responded that when he was told to open a bill folder he did, and at the time there wasn't time to wait for the next meeting of the Commission. He added that he probably should have called the Chairman and probably all of the members too to discuss the bill. Driggs said that he probably wrongfully decided to go ahead, but was afraid that if Sims said no, don't do till the next meeting of the Commission, that he knew it would be too late. He said that he made a judgment call, that at the time he did what he thought had to be done to give the Commission a head start to do what it has to do.

Driggs said he was hoping for \$10 million this year, but that the bill amount is blank now. He stated that he has circulated memos to legislative members going for \$1 million, half from the state. It would have to be matched and the Commission members would have to discuss it. Driggs commented that he acted unintentionally somewhat at the request of the Speaker and President.

Jackson stated that this action was the third time that Driggs had end-run the Commission, and questioned why the members were even here (at a meeting). She felt that the members were being bullied, and that the makeup of the Commission was to ensure that everyone had a voice not just the Papago Park project. She added that to introduce a bill on behalf of a Commission without any members even knowing about it, was in reality a one-man show. She questioned how she should even address the issue with the Governor.

Vershure seconded the comments made by Jackson, saying that she didn't get it (Driggs's actions), that the Commission has wasted so much time already dealing with them. She told Driggs that if wanted to pursue these actions on his own that he could, but not as part of the Commission. She added that she was deeply offended by his actions and that the Commission should stop it.

Chairman Sims stated that Driggs has heard the displeasure of the Commission, but that they now have the particulars of the bill and now must discuss how it might work.

Wells responded that it is crucial that the members discuss how it might work, that they have a bill and have to give a response. She commented that Driggs is well aware of how deeply hurt and how deeply offended the members are, but that it doesn't get them anywhere. It behooves the Commission now get the facts – as they have guests present from Legislative Council and the State Treasurer's Office, and see if the members can make HB2371 work - that they should make a decision based on the merits of the bill and amendments. She introduced Michael Braun, Executive Director of Legislative Council.

Braun said that the first section of the bill is a section that amends the enacted law that was passed last year. That enacted law gave the power to the Director of the State Library to accept

and spend money for three purposes only - to advise, to assist, and to recommend. Braun explained how to read current law, proposed and deleted text in a bill.

Jackson asked if the reason the law was written that way was because of the agency's legislative accountability. Braun responded that he could not really say why it was written as such, but the extent of the power was deliberately chosen, and the Director's power doesn't extend beyond those three purposes. Wells said that part of the answer is that a state agency was chosen for accountability, as everything would go through the state's accounting system. Braun commented that he really couldn't say if that was the objective that the sponsor of the bill hoped to achieve, but it is achieved by the existing text of the bill, as accepting and spending money must go through all of the constraints for public money.

Braun said that it is a difficult concept – there is the concept of public money, and then there is the concept of the procurement code. They are two totally different concepts. Public money is public money, and all state government agencies have constraints as to what they can do with public money. The procurement code applies to many state agencies, but the most notable exception on the procurement code is the legislative branch of government.

Braun stated that if Legislative Council were given money, per the provisions of Title 35 it would have to go to the State Treasurer's Office immediately. While at the State Treasurer's Office no one could spend it. Because Legislative Council is in the legislative branch of government, when the time came to spend it, they would not be required to go to the Arizona Department of Administration procurement code. They could theoretically spend the funds without any restrictions, but they use a procurement method in Legislative Council.

Braun said that all agencies – executive, judicial, and legislative have to follow the constraints of public money, then comes the issue of whether or not the expenditure must follow the procurement code. As AHAC is under a legislative agency, it would have to follow the constraints of use of public money, but not the constraints of the procurement code. They do however follow the theories and spirit of the procurement code for self-preservation.

Under the existing law, Wells can accept and spend money only for: 1) advising the legislature and state agencies on Centennial history and heritage, arts and culture and related activities; 2) assisting the Governor's Countdown to the Centennial to support school children learning about this state's history; and 3) recommending activities and projects that will ensure lasting legacy accomplishments to commemorate the Centennial. He added that HB2371 would expand the recommending function and also include funding of those Centennial activities and projects (**#3**). It would also change the law to make the Commission and not the Director of the State Library (Wells) able to accept money and expend funds.

Braun said that the second part of the bill takes care of the financial part of the first section. He added that an appropriations bill can be introduced without an amount specified that the amount gets debated and entered later in the process. The theory being that during the process they can either take the appropriations line out or enter in an amount. The bill would mandate an appropriation from the General Fund during the next fiscal year for the Commission's plans and projects related to the Centennial and require that the appropriated money can not be spent unless there are matching funds from other sources other than state. The current bill states that money would be deposited with the Arizona Community Foundation; the amendment removes this

language. The bill also states that both appropriated and matched money would be spent by the Commission, previously by the Director of Library and Archives, and that funds not spent by the end of the fiscal year would not revert back to the General Fund but remain for the Commission's future use.

Braun stated that the amendment removes the Arizona Community Foundation, and allows the money to be spent as it is collected, but an accounting shall be made by the Commission to determine qualifications of the state match. He said that this does not literally mean that the money could be received by the Commission and immediately spent, it has to be sent to the State Treasurer's Office first per permanent law.

The amendment also states that gifts, grants and donations to or from local government, Indian tribes and universities for Centennial projects shall be reported to the Commission and qualify for the matching requirements. Here again, Braun said that per permanent law, the money first must go to the State Treasurer's Office. The Commission could spend non-earmarked funds at it sees fit.

Wells asked Braun if the State Library, through its other statutory authority, would be prohibited from accepting money and expending funds for the general purposes of the Commission i.e, to publicize its statewide plan under its ongoing authority. He answered that before this session law last year, the State Library may have been able to spend or accept money for Arizona Centennial projects, but through the session law, that authority became restricted. Had the law not been enacted, it would have been arguable. Before this legislation, the Commission did not have a clear statutory role in planning for the Centennial. Library and Archives could receive and spend money for the Commission's mandated activities. It would have been a fine line if Library and Archives would have been able to receive and spend money for the Centennial. Once this piece of session law was enacted last year, it became clear what the Commission could only do.

The current law clearly states that Wells can accept and spend money only for advising the legislature, assisting the Governor, and recommending activities and projects, but that neither the Commission nor Wells as Director of the State Library could receive or spend funds for the Centennial projects and activities.

Wells introduced Blaine Vance, Deputy State Treasurer.

Vance stated that in the State Treasurer's Office they handle the money for the state, they live and die by Title 35 and 41. He said that in reviewing SB2371 there are two types of money in this bill: 1) appropriated, which are kept in the General Fund till it is spent; and 2) donated, private funds which are kept in a separate account. He said that the Commission will have to get the language amended to spend funds, and that as written, SB2371 would require the Commission to have a full-time staff person to expend those funds - to cut warrants, as the State Treasurer's Office does not provide that function. The staff person would have to be a state employee to be able to have access to the Statewide Accounting System. He added that the State Library has the infrastructure in place, and has a relationship to the Statewide Accounting System and General Accounting Office. Wells asked that since the Commission operates out of the auspices of Library and Archives, could the agency do the job for the Commission legally? Braun responded Yes, that using the State Library is the only way that this requirement can be fulfilled - the only agency that can do it, and therefore the members should revisit the bill's

language which takes the State Library out and Commission in – can't do. The Commission exists in statutes as an entity of Library and Archives. Vance said that the Commission may want to revisit the language of this bill, because it takes the State Library out of the picture, and the State Treasurer's Office would be glad to walk them through some of the language and concerns they may have.

Driggs asked if Don Thayer of Legislative Council could address these issues and make further amendments. Braun responded that it is prudent to remove all doubts that AHAC only exists through Library and Archives.

Cohn asked Vance if the State Treasurer received a lot of private donations. Vance responded "yes, for memorials and monuments, and from donors." He said that once received however, the funds are no longer private but public money, The funds can be earmarked but they are still public money. Vance said that any donations the Commission would receive would be mailed to Commission and not the State Treasurer, but then be sent to the State Treasurer's Office who would be custodians of the funds until they are spent. The funds would be designated and therefore not vulnerable to sweeps.

May recommended going through the bill and addressing the problems, and putting the State Library back in the legislation to receive and spend funds on behalf of the Commission. She said that if they could make the changes fine – the members would support the bill, if not, the members wouldn't support the bill. Driggs responded that he already has money from two people already, and that it could soon reach \$100 thousand. He requested that an amendment be made that has a provision for donors, that the money be available and contributed directly to the State Library and that the agency's costs be covered.

Sims stated that Driggs has put the Commission out on a limb and now it has to discuss and deal with the issues involved. Stowe said that he was concerned about using the Arizona Community Foundation. Braun responded that section C of the bill attempts address the concerns, but it will need more work. Any money anyone receives for AHAC for projects has to be deposited in the State Treasurer's Office either through this bill or the current legislation. Cohn said that the Commission needs to calculate for the match and that section C of the bill can accomplish this but it will need more work.

Yoder asked if the Commission wanted to be able to spend money on projects too, that it could under this new bill with tweaking, or does it not endorse the bill and loose face.

Stunz-Hall asked how long the Commission had to craft this bill. Sims replied until Sine Die. If we are going to endorse the bill, who will the members trust to keep an eye on it? Wells commented that they will need an answer about the role of the State Library, and find out how they can make this box they are in move outside the box and be workable. The Commission must try and make a silk purse out of a sow's ear. She added that to vote to endorse the bill or not is not productive. If the bill passes as is, can the Commission make it work? Or, can they still make changes? Stunz-Hall said that the Commission should move to ask Sims to take the issues to President Bennett, as she doesn't think it appropriate to have each member going to their representatives as a private member.

Action: By consensus, Sims to talk to President Bennett to see if HB2371 can be amended.

Jackson stated that for the record, she has no comment on what to do with the bill. The Governor's Office did not even have the courtesy of having the bill shown to them, so there is no endorsement of it - the Governor has already done her budget. May said that she agreed with Jackson that she has discomfort with how the Commission is going to work with the Governor's Office now. The train has left the station, do we get on board? Wells responded "yes, but with a lot of ducks needing to be lined up."

Garrison was asked to comment on the issues brought forth. In response he said that the legislature is in charge of this bill, that the Commission has to grasp the opportunity now, especially if it helps the Commission's cause. For whatever Driggs did, had the legislature not been interested in it, it wouldn't have been dropped (submitted as a bill). He added that the legislature is on the train too, but maybe a different train than the Commission is on. The Commission needs to get on board the same train as the legislature. There now is a window of opportunity to get things done - next year there may not. Driggs commented that if the Commission keeps waiting for the perfect time, it will never happen.

Jackson stated that she couldn't comment as the Governor had already submitted her budget. May suggested crafting a letter to the Governor.

Vershure recommended getting the State Library back in the bill and getting the issues of section C solved.

Jackson reminded the members of the meeting where Driggs suggested the 50/50% matching contribution of government. Driggs said that Representative Tully mentioned the Rainy Day Fund, saying that it is there, let's grab it. Jackson said that there are ramifications for asking for money not in the budget. Garrison stated that there is no money actually in the fund. He suggested the Commission take care of the enabling part of the bill now, the mechanism that will handle the money. The money is not listed in the bill now because in Appropriations, they are not worried about filling in the blanks - it could be \$1.00. Stowe agreed with Garrison, saying that the issues should be dealt with now, and they should address the enabling part of the bill.

Woosley said that the Commission is on a stage, the scene has been set. The Commission does not have years to plan. The Commission needs to take advantage and move quickly. The disadvantage is how Driggs ran down the court with the rest of the players still sitting on the bench, including the Governor. She added that Garrison made good points. The Commission needs to craft the language together so it can answer the gaps and reservations. The Commission was so pleased when the original bill was passed and what it could do then. Now we realize that we can't fund projects, and that the State Library needs to be the administrator. Some funds need to be designated to make it happen (accounting function). The Commission needs to make it work. Because the Governor is so supportive of the Centennial and the Arizona Historical Society, the Commission's biggest hiccup is her. As a group, we have to make it work.

Action: It was the consensus of the Commission to take what's before it (HB2371) and work with the language and make it work.

Yoder stated that she agreed that the State Library needs to provide the staff support to the Commission. Braun responded that the State Library is not out of the bill, however the Director (Wells) can not accept money – but the Commission can, the agency's resources are still available to the Commission to accept and spend money, just not the Director.

Wells stated that she would have to abstain from any decision the Commission made regarding the agency or her role as Director. She thought it sounder like better public policy for the Commission to make the decision of accepting and spending money as long as the agency can support it.

It was decided by consensus that the Commission needs a mechanism to do business between meetings. Braun stated that the Open Meeting Laws are strict and that there are no way around having the Commission vote as a group on issues. Questioned was if the Commission could have an Executive Group? Braun responded that the law is clear; anything short of it is risky.

Questioned was how could the Commission make its apologies to the Governor? Jackson replied that she would talk to Mike Haener and see. The Governor was clear what she asked the State Library to do, and that reporting is the best way to do it.

Wells suggested appointing a small committee to work with the bill, but that the first priority of the Commission would be to contact Representative Tully and ask him to consider a few changes. She added that HB2371 reflects the approval of legislative leadership since the bill wasn't assigned to the Government Committee first – it was assigned directly to the Appropriations Committee.

Motion: Garrison motioned and Cohn second, that the officers of the Commission work on crafting changes to HB2371. Officers are: Sims, Chair; Woosley, Vice-Chair; May, Treasurer; Wells, Secretary; and a member at large to be appointed by Sims. Jackson and Wells abstained from the vote.

Action: Sims, as Chair, to lead efforts to make amendments to HB2371, and the members are to take direction only from Sims.

Action: Sims as chief lobbyist for the Commission to communicate directly with the Governor's Office, and not through Jackson, as an action priority.

Action: As Chair of the Commission, Sims to send thank you letters to the members of the legislature who have signed on to HB2371, as an action priority.

REPORT ON ACTION ITEMS

Sims stated that he would suspend discussion on the other agenda items due to length of time spent on HB2371, however a couple of members asked to report on a couple of action items.

Wells stated that Mary Bell McCorkle, the retired educator from Tucson had left a message for Weaver that upon further consideration, she would be unable to serve on the Commission, but would like to attend a meeting sometime in the future just to gain information on what the Commission is doing in regards to the Centennial.

Sims said that he had talked with Governor Raul Castro, and asked him to serve in an honorary capacity as a former Arizona Governor.

Assignment: May to bring samples of the Request for Endorsement form used for Arizona's 75th Anniversary to the next AHAC meeting.

Assignment: Cohn to contact Alberto Rios, Regent Scholar, ASU and think about Arts legacy criteria.

Assignment: Driggs to meet with Woosley to discuss fund-raising, and submit ideas to Cohn and Vershure.

Assignment: Vershure and Cohn, as liaison to the Marketing and Development Committees, to meet to build a public relations task list and discuss how a web presence might best be employed to reach the general public.

Assignment: Vershure to develop a one-page media release fact sheet for internal purposes only.

Assignment: Garrison to work with Sims on membership ideas and populating committees, and to continue to brief Travous on meetings.

Assignment: Wells to meet with May and Legislative Council regarding the form for entities or private citizens who want to make contributions to the Centennial through AHAC.

Assignment: Sims to consult with Travous and Lomawaima to seek a person from a Tribal community to lead a strong subcommittee.

COMMITTEE REPORTS

Countdown to the Centennial

Assignment: Jackson to draft charge for Countdown to the Centennial for the Commission's review at its next meeting.

Activities

Marketing

Assignment: Pending – Cohn and Veshure to draft charge for Marketing Committee for the Commission's review at its next meeting.

Development

Assignment: Driggs and Woosley to draft charge for Development Committee for the Commission's review at its next meeting.

Membership: Commission and Committee

Assignment: Driggs and Garrison to draft charge for Membership: Commission and Committees for the Commission's review at its next meeting.

Historic Sites Review Report

Assignment: Garrison, Chair of the Historic Sites Review Committee will report what actions were taken on the nominations and projects, and file a report of the meeting.

AGENDA ITEMS FOR NEXT MEETING

Commission Bylaws

Licensing

Commission Membership

Arizona Capitol Mall Commission Projects

CALL TO THE PUBLIC

No members of the public present.

NEXT MEETING DATE

February 28, 2006 from 1:00 p.m. until 4:00 p.m. in the Director's Office Conference Room of the Arizona State Library, Archives and Public Records, 1700 W. Washington, Phoenix, AZ 85007

ADJOURNMENT

Sims adjourned the meeting at 3:30 pm.

Respectfully Submitted

Leslie J. Weaver
Arizona State Library, Archives and Public Records

MEETING HANDOUTS

Application for Arizona Centennial 2012 Legacy Project (draft)

Arizona 9/11 Memorial Plaque Description (draft) *Moving Memories*

HB2371 –Arizona Centennial; Funds; Appropriation

Amendments to HB2371

Legacy Projects and Activities Criteria